

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11

**THE HONORABLE BRIAN D. LYNCH  
CHAPTER 13**

**HEARING DATE: December 18, 2019**

**HEARING TIME: 1:30 P.M.**

**LOCATION: Tacoma, Washington**

**RESPONSE DATE: December 11, 2019**

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

ANA BERTHA MOSQUERA,

Debtor.

Case No.: 19-43221-BDL

**OBJECTION TO CONFIRMATION WITH  
STRICT COMPLIANCE**

**COMES NOW**, Michael G. Malaier, Chapter 13 Standing Trustee, and objects to  
confirmation as follows:

**BACKGROUND**

Debtor filed this Chapter 13 case on October 5, 2019. The applicable commitment period  
is thirty six months. The case is currently in the second month and the Meeting of Creditors has  
been completed. The bar date for filing non-governmental claims is December 16, 2019.  
Scheduled unsecured claims total \$23,126.67. The Trustee estimates that under the proposed  
plan general unsecured creditors will receive approximately \$0.00.

OBJECTION TO CONFIRMATION

**OBJECTION**

☐ Plan is not feasible:

☐ Plan is not proposed in good faith or is forbidden by law:

☐ Plan fails to commit all excess disposable income for the applicable commitment period as required by 11 U.S.C. § 1325(b)(1)(B):

☐ Plan does not meet the best interests of creditors test as required by 11 U.S.C. § 1325(a)(4):

☒ Schedules or other documentation insufficient:

(1) Trustee requires debtor to submit twelve months of profit and loss statements.

(2) Debtor must provide twelve months of bank statements that evidence her business expenses.

(3) Debtor must provide evidence of how the amount at line 16 of schedule J was calculated.

(4) Debtor must provide the last two years of state and federal tax returns with all attachments.

☐ Other:

**WHEREFORE**, Trustee requests that the objection to confirmation be sustained and debtor be ordered to file a motion to confirm a plan resolving the issues raised herein within 14 days of entry of the Order Sustaining Trustee's Objection to Confirmation; and to set the hearing on the next available motion calendar after the 14 days expires. If the Motion to Confirm resolving the Trustee's issues is not filed and set for hearing as outlined above, the Trustee requests he be allowed to enter an order dismissing the case, *ex parte*, without notice.

**DATED** this 26th day of November, 2019.

/s/ Matthew J.P. Johnson

Matthew J.P. Johnson, WSBA# 40476 for  
Michael G. Malaier, Chapter 13 Trustee